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December 1, 2023

VIA ECF

Honorable Steven Tiscione, U.S.M.J.
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Carlos Guzman et al v. Bactolac Pharmaceutical, Inc., et al*
Civil Case No.: 22-CV-04651 (JMA)(ST)

Dear Judge Tiscione:

We represent Defendant Bactolac Pharmaceutical (“Bactolac”) in connection with the above-referenced action. All parties to this action jointly submit this status report. On November 22, 2022, Judge Joan M. Azrack granted Bactolac’s and Choice Long Island, Inc.’s (“Choice”) request to stay this action “pending resolution of the parallel state action (Index No. 602277/2021).” *See* Order Dated November 22, 2022. As an update, Bactolac and Choice have both perfected their respective appeals to the NY Appellate Division, Second Department. The appeals were fully briefed as of August 28, 2023. The Second Department has not yet scheduled oral argument and has not issued a decision. Per the Court’s November 22, 2022 Order, the parties will update the Court when the Second Department issues a decision.

Thank you for Your Honor’s attention to this matter.

Respectfully submitted,
JACKSON LEWIS P.C.

s/*Brian Shenker*

Brian J. Shenker

cc: All counsel (via ECF)
4888-1359-6564, v. 1